

HOUSE BILL REPORT

2SSB 5691

As Reported by House Committee On:
Ecology & Parks

Title: An act relating to improving boating programs.

Brief Description: Improving boating programs.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Brandland, Jacobsen, Shin and Parlette).

Brief History:

Committee Activity:

Ecology & Parks: 3/20/09 [DP].

Brief Summary of Second Substitute Bill

- Requires the Recreation and Conservation Office, in consultation with the State Parks and Recreation Commission, recreational boating stakeholders, and the Washington Association of Sheriffs and Police Chiefs to work on several aspects of boating.
- Requires the Recreation and Conservation Office to submit reports to the Governor and the Legislature in 2010.
- Requires the State Parks and Recreation Commission to designate the Washington Department of Fish and Wildlife as an approved boating program for the purpose of obtaining increased federal matching funds.
- Provides a null and void clause.

HOUSE COMMITTEE ON ECOLOGY & PARKS

Majority Report: Do pass. Signed by 10 members: Representatives Uptegrove, Chair; Rolfes, Vice Chair; Short, Ranking Minority Member; Dunshee, Finn, Hudgins, Kristiansen, Morris, Orcutt and Shea.

Minority Report: Do not pass. Signed by 2 members: Representatives Chase and Dickerson.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff: Jaclyn Ford (786-7339)

Background:

Enforcement of Boating Safety Laws.

Washington's boating safety laws are administered by the Washington State Parks and Recreation Commission (Commission). Every law enforcement officer in Washington and its political subdivisions has the authority to enforce the boating laws, including county sheriffs, officers of other local law enforcement entities, the Washington State Patrol, state park rangers, and the Washington Department of Fish and Wildlife (WDFW).

The Recreation and Conservation Office.

Previously known as the Interagency Committee for Outdoor Recreation, the Recreation and Conservation Office (RCO) was established by Initiative 215 in 1964. The RCO helps finance recreation and conservation projects throughout the state. The eight-member committee consists of the Director of the WDFW, the Director of the Commission, the Commissioner of Public Lands, and five citizen volunteers who are appointed by the Governor. The RCO administers several grant programs for recreation and habitat conservation purposes.

Study of Boater Needs.

The RCO completed an initial study of boater needs and made recommendations to the Legislature on the initial amount of funding that should be provided to the Commission for boating-related law enforcement purposes in 2007.

Summary of Bill:

Within funds appropriated for this specific purpose from the Recreation Resource Account, the RCO, in consultation with the Commission, recreational boating stakeholders, and the Washington Association of Sheriffs and Police Chiefs, must:

- contract for a quantification of the needs identified in the Washington Boater Needs Assessment and for addressing the recommendations provided in the Washington State Boaters Survey Regarding Safety, Education, and Law Enforcement, and the Report on Methods to Achieve Safer Boating Practices;
- identify expectations and develop program standards for recreational boating programs including, but not limited to, marine law enforcement programs;
- establish methods of determining state and local responsibility for recreational boating programs;
- establish standards for evaluating the effectiveness of recreational boating programs;
- consider various models for state management of recreational boating programs including, but not limited to, the model provided by the Oregon State Marine Board;
- establish a plan for standardized and specialized training and training opportunities for local and state marine law enforcement, including training regarding boating safety laws and boating accident investigation;
- identify best practices for the provision of safety information and practical education to boaters in the field, including law enforcement safety and equipment checks;

- identify best practices for law enforcement on-the-water activities including patrols, prevention, education activities, and search and rescue; and
- review the funding and expenditures of the state's recreational boating programs including, but not limited to, the federal Safety Grant Program administered through the U.S. Coast Guard.

The RCO, in consultation with the Office of Financial Management and the Office of the Governor, must report its findings and make recommendations for increasing efficiencies in the administration of the state's recreational boating programs, including any potential merger of programs and any potential transfer of programs among state and local agencies.

The RCO must submit a preliminary report to the Governor and the Legislature by January 1, 2010, and a final report by December 1, 2010. The report must include suggested timelines for implementation of the recommendations and whether the recommendations require legislative action or additional funding.

The Commission must designate the WDFW as an approved boating program. The WDFW must submit its boating safety data to the Commission for the purpose of: (1) obtaining increased federal matching funds; and (2) permitting the WDFW to compete for funds administered by the Commission.

The name of this act is "The Recreational Boating Services and Safety Improvement Act of 2009."

The act is null and void if not funded in the state budget.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed. However, the bill is null and void if not funded in the budget.

Staff Summary of Public Testimony:

(In support) Washington needs to get a good handle on our boating programs. There are efficiencies and economies that might be found by looking at our boating programs and this bill will help to make the boating programs more efficient.

(Opposed) None.

Persons Testifying: Jim King, Recreational Boating Association of Washington; and Cliff Webster, Northwest Marine Trade Association.

Persons Signed In To Testify But Not Testifying: None.